

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY vs. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District
FILE NUMBER: 200600280

REGULATORY PROJECT MANAGER: Jonathan Foster DATE: June 5, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) N
At the project site (y/n) Y Date: April 27, 2006,

PROJECT LOCATION INFORMATION:

State: California
County: Shasta
Center coordinates of site by latitude & longitude coordinates: Latitude 040° 36' 31.0", Longitude 122° 21' 56.0"
Approximate size of site/property (including uplands & in acres): 18 acres
Name of waterway or watershed: Lower Sacramento watershed

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	√								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown (Use Best Professional Judgement)		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				√	
Is or would be used as habitat by other migratory birds that cross state lines?				√	
Is or would be used as habitat for endangered species?				√	
Is used to irrigate crops sold in interstate commerce?		√			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved √

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite): Wetlands labeled 1-Seep and 2-SW were considered isolated, non-navigable, intra-state waters since they had no apparent tributary connections or were they adjacent to any know tributaries to waters of the U.S. The 1-Seep wetland is a wetland seep located on a man-made embankment adjacent to an office development that had no standing water at the time of our site visit. The 2-SW is a seasonal wetland that is adjacent to a dirt parking lot and may be a man-made shallow depression. It also did not have any standing water at the time of the visit and neither one had any known nexus to inter-state or foreign commerce.